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January 25, 2013

BY ECF

Honorable Joan M. Azrack
United States Magistrate Judge
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: Vincent Carmona v. Police Officer Angelo Pizzaro, et al.
11 CV 3486 (JMA)

Your Honor:

I am an attorney in the office of Michael A. Cardozo, Corporation Counsel of the City of New York, attorney for the defendants Ansari Kalil, Michael Taggart and Angelo Pizzaro in this action. I am writing jointly with plaintiff's counsel to respectfully request that the Court extend the fact discovery deadline in this case from January 29, 2013 until April 1, 2013. If the Court is inclined to grant this request, we respectfully request that the status conference currently scheduled for January 29, 2013 be adjourned until any date after April 1, 2013 that is convenient for the Court.

The reason for this request is that the parties have not yet been able to schedule depositions in this matter. First, plaintiff is currently incarcerated and has transferred detention facilities since the last conference with the Court. Accordingly, the parties have not been able to schedule plaintiff's deposition to date. The plaintiff is currently located at Manhattan Detention Complex and the parties are now in the process of scheduling plaintiff's deposition at this facility. Further, since the last conference with the Court, the parties have exchanged additional document discovery, including the recent production by defendant of certain disciplinary records for the defendant officers. The defendants have also requested and are awaiting certain additional records relating to the defendant officers. The defendants expect to obtain these documents shortly and produce them to plaintiff. Production of these additional records is expected to be made within the next thirty (30) days. Once production of these documents is completed, plaintiff will be in position to take the defendant officers' depositions.

Based on the foregoing, the parties hereby seek to extend the discovery deadline until April 1, 2013 in order to complete all remaining discovery and depositions. This is the fourth

request for an extension of the fact discovery deadline in this action. The previous requests were all granted on consent. If the Court is inclined to grant this request, we respectfully request that the conference currently scheduled for January 29, 2013 be adjourned until a date after April 1, 2013 that is convenient for the Court

I thank the Court for its time and consideration of these requests.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Ben Kuruvilla', with a long horizontal flourish extending to the right.

Ben Kuruvilla
Assistant Corporation Counsel
Special Federal Litigation Division

cc: Robert Marinelli, Esq.
Attorney for Plaintiff

By ECF